

United States Courts Southern

District of Texas

FILED

10/19/2021

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

Vs.

Avery-Jordan Ramon Carter

Nathan Ochsner, Clerk of Court  
CRIMINAL COMPLAINT

Case Number: 2:21-mj-1293

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about October 17, 2021 in Brooks County, in the Southern District of Texas, defendant, Avery-Jordan Ramon Carter

did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title 8 United States Code, Section(s) 1324  
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:  
Official Title

See Attached Affidavit of U.S. Border Patrol Agent

James Jewell

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on the:

October 19, 2021

Date

at

Corpus Christi, Texas

City and State

Mitchel Neurock U.S. Magistrate Judge

Name and Title of Judicial Officer



Signature of Judicial Officer

## **AFFIDAVIT**

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other Agents and officers participating in the investigation.

### **FACTS/DETAILS:**

On October 17, 2021, at approximately 9:15 p.m., a Mazda CX-5 approached the Falfurrias Checkpoint for an immigration inspection of its occupants. At the primary inspection area, the primary agent asked the driver, later identified as Avery-Jordan Ramon CARTER, where he and the other occupants of his vehicle were headed. CARTER stated he and his friends were headed to Victoria, Texas. When asked where they were coming from, CARTER stated they were coming from the ROSS retail store in the McAllen, Texas area. The agent then asked CARTER how long he knew the other occupants in the vehicle, and CARTER stated he did not know any of them despite his earlier comment.

At that point, the agent noticed CARTER was visibly shaking trying to gain access to his phone and looking around while refusing to keep eye contact with the agent. The agent then instructed CARTER to place the car in park and remain off his phone while he conducted his immigration inspection of the remaining occupants.

The agent asked the passenger sitting behind CARTER where he was born, and he replied with, "Texas." The agent then asked all the passengers to show him their identifications. None of the passengers attempted to show any identification and continued to look forward without making eye contact. The agent then the same passenger if he knew what his address was in the United States, but he was unable to tell the agent an address.

As the agent moved to the rear of the vehicle, he was able to see two female subjects laying down in the rear cargo area of the vehicle. The agent then asked the rear passengers if they were illegally present in the United States, to which they all replied, "Yes." The agent then advised the Border Patrol Agents at the Falfurrias Checkpoint of the situation via service radio. CARTER was then placed under arrest for alien smuggling and the aliens were placed under arrest for being illegally present within the United States. All seven subjects were then escorted inside the checkpoint for further processing.

All seven subjects were read their rights via Service Form I-214. CARTER and two of the illegal aliens, later identified as Rolando Evelio PAZ-Sabillon and Vivian Iveth INESTROZA-Argueta, agreed to provide statements without a lawyer present. The remaining subjects requested legal counsel before making a statement.

**PRINCIPAL STATEMENT: (Avery-Jordan Ramon CARTER)**

CARTER stated he met someone named "Gerome" who asked him for a favor which was to take his family up north. CARTER stated he left Victoria, Texas today (10/17/2021) at about 3:30 p.m. to go pick up Gerome's family in in Edinburg, Texas at a shopping center. CARTER stated he had never been to south Texas before. CARTER said Gerome told him to stop at an address in Rosenberg, Texas to pick up a cellphone he was supposed to give to one of the individuals he picked up.

CARTER stated Gerome told him to look for a black truck near a Ross store at the shopping center near U.S. Highway 281 and Trenton Road. CARTER stated he met with the black truck and five or six people exited and entered his vehicle. One person got into his front passenger seat and the rest all entered through the rear passenger door. When CARTER was asked about the two individuals who were in the rear cargo area, he assumed they were there because of the lack of space. CARTER stated upon seeing the lights of the checkpoint he thought something was wrong because the people in his vehicle starting acting erratic.

During the interview, CARTER gave consent for his phone to be searched. Upon searching CARTER's phone and questioning him about his text messages with Gerome, it was revealed CARTER lied about never being in south Texas before. CARTER stated he picked up a group of people on Thursday (10/14/2021). That time he dropped them off right at a location Gerome sent to him. CARTER said Gerome would send him the locations and he was told to drop off the group and just drive back to Victoria. CARTER said Gerome told him, "I got you" and "I'll take care of you." CARTER believed this would be some form of payment. CARTER had text messages sending him locations where to drop off the individuals on multiple occasions.

**MATERIAL WITNESS STATEMENT: (Rolando Evelio PAZ-Sabillon)**

PAZ stated he and the other five individuals with him were dropped off by a shopping center and told by the driver who dropped them off to start asking for rides. After asking a couple other people for rides, they approached CARTER. PAZ stated CARTER agreed to give them a ride for free.

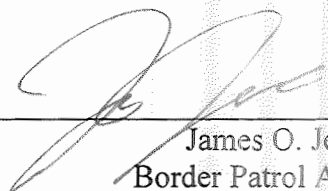
**MATERIAL WITNESS STATEMENT: (Vivian Iveth INESTROZA-Argueta)**

INESTROZA stated she asked the driver for a ride and was picked up on the side of the road in McAllen, Texas. INESTROZA stated she was the first one to get picked up and got in through the back seat before moving herself to the cargo area. Approximately ten minutes later, the driver picked up more people. INESTROZA stated the driver told her there would be no problems and he was going to pass them through. The driver did not tell her where he was taking them. INESTROZA stated the driver did not say anything on the ride north and was only listening to music. When asked if she paid the driver anything, INESTROZA stated she did not.



**DISPOSITION:**

The facts of this case were presented to the Assistant United States Attorney's Office who accepted Avery-Jordan Ramon CARTER for prosecution of 8 USC 1324, Alien Smuggling. Rolando Evelio PAZ-Sabillon and Vivian Iveth INESTROZA-Argueta will be held as Material Witnesses.

  
James O. Jewell  
Border Patrol Agent

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on this day October 19, 2021



Mitchel Neurock  
United States Magistrate Judge